

Message Text

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TAGS: PINS TZ

SUBJ: JUDGEMENT ON TREASON CASE APPEALS

REF: ZANZIBAR 0242

1. SUMMARY: ZANZIBAR'S CHIEF JUSTICE ANNOUNCED RESULTS NOVEMBER 10 AND 11 OF APPELLATE REVIEW OF 58 TREASON CONVICTIONS OF MAY 1974 FOR PARTICIPATION IN 1972 COUP ATTEMPT, INCLUDING CASES OF 14 HESO ON MAITTAND AND TRIED IN ABSERZIA. NEARLY HALF OF PREVIOUS DEATH SENTENCES COMMUTED AND SEVERAL PRISON TERMS WERE REDUCED. AVENUES FOR FURTHER REVIEW REMAIN OPEN AND IT WILL BE SOME TIME BEFORE REMAINING DEATH SENTENCES CARRIED OUT, IF EVER. END SUMMARY.

2. ON NOVEMBER 10 AND 11 IN ZANZIBAR PEOPLE'S HIGH COURT CHIEF JUSTICE ALI HAJI PANDU DELIVERED DECISION ON APPEAL BY 44 CONVICTED MAY 15, 1974 OF TREASON FOR THEIR INVOLVEMENT IN COUP ATTEMPT OF APRIL 7, 1972 IN WHICH ABEID KARUME KILLED. THE 44 APPELLANTS COMPRISED 20 SENTENCED TO DIE AFTER BEING JUDGEED GUILTY, 9 WHO PLEADED GUILTY AND WERE SENTENCED TO DEATH, 11 SENTENCED TO 15-YEAR PRISON TERMS AND 4 SENTENCED TO 10-YEAR TERMS.

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3. JUDGEMENT WAS ALSO UNEXPECTEDLY GIVEN ON BEHALF OF 14 OTHER CONVICTED CONSPIRATORS BEING HELD ON TANZANIAN MAINLAND, ALL OF WHOM WERE ALSO CONVICTED IN MAY 1974 AND SENTENCED TO DEATH IN ABSENTIA. THEIR PARTICIPATION IN REVIEW, AGAIN IN ABSENTIA, HAD NOT BEEN PREVIOUSLY ANNOUNCED AND MAY HAVE OCCURRED WITHOUT THEIR KNOWLEDGE.

4. AS RESULT OF APPEAL, HIGH COURT COMMUTED DEATH SENTENCES FOR 18 WHO WILL NOW SERVE PRISON TERMS RANGING FROM 6 TO 18 YEARS. ONE MAN UNDER DEATH SENTENCE WAS ACQUITTED, AS WERE THREE MEN SENTENCED TO 15 YEARS AND ANOTHER TO 10 YEARS. ONE OF THOSE RELIEVED OF 15-YEAR TERM, MAN IN MID-THIRTIES, WENT HOME AND DIED IN HIS SLEEP DURING FIRST NIGHT OF FREEDOM IN MORE THAN THREE YEARS.

5. IT WAS ANNOUNCED THAT ONE MAN PREVIOUSLY SENTENCED TO 15 YEARS HAD DIED WHILE UNDERGOING TREATMENT FOR DYSENTERY AT ZANZIBAR'S V.I. LENIN HOSPITAL. ANOTHER MAN SENTENCED TO 10 YEARS IS TCIBE FREED APRIL 6, 1976, AND FOUR OTHERS WITH SENTENCES OF 15 YEARS RECEIVED REDUCED SENTENCES RANGING FROM 6 TO 12 YEARS.

6. SENTENCES OF 1; OTHERS INVOLVED IN TREASON CASE WERE UPHELD. THESE ARE DEATH SENTENCES FOR 24, INCLUDING FORMER REVOLUTIONARY COUNCIL MEMBER AND TANZANIAN MINISTER ABDULRAHMAN BABU, THREE 15-YEAR TERMS AND TWO 10-YEAR TERMS.

7. ATMOSPHERE IN ZANZIBAR CALM DURING COURT PROCEEDINGS. DURING BOTH DAYS ABOUT 200 ARMED TROOPS WERE PROMINENTLY DISPLAYED ABOUT QUARTER MILE FROM COURT BUT CONSULATE HAS NO REPORTS ANY TROUBLE WAS EXPECTED.

8. CHIEF JUSTICE PANDU'S RULINGS, DELIVERED IN COURSE OF LENGTHY, RAMBLING REVIEW OF ZANZIBAR'S RECENT POLITICAL HISTORY, WERE ABOUT WHAT WAS EXPECTED - A FEW ACQUITTALS AND SOME RELIEF FROM DEATH SENTENCES. THOSE NOT PLEASED WITH RESULT MAY STILL APPEAL TO SPECIAL 14-MAN TRIBUNAL KNOWN AS SUPREME COUNCIL AND, UNTIMATELY, TO AFRO-SHIRAZI GOVERNMENT PRESIDENT ABOUD JUMBE FOR MERCY. IT THEREFORE MOST UNLIKELY NEWLY-AFFIRMED DEATH SENTENCES WILL SOON BE CARRIED OUT AND, IF JUMBE TAKES OPPORTUNITY TO IMPROVE ZANZIBAR'S IMAGE, MAY NOT BE CARRIED OUT AT ALL.

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